

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**IN RE: GERBER PRODUCTS COMPANY  
BABY FOOD LITIGATION**

**This Document Relates To:**

**All Actions**

**Master File No. 2:21-cv-01977-CCC-MF**

**HON. Claire C. Cecchi**

**Motion Return Date: June 7, 2021**

**NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendant Gerber Products Company (“Gerber”) respectfully submits this Notice of Supplemental Authority to advise the Court that:

(1) On June 16, 2021, the United States District Court for the Central District of California, in *Robbins v. Gerber Products Company, et al.*, No. 2:21-cv-01457-JVS-PD (C.D. Cal.), issued the Order attached hereto as Exhibit A, severing the claims asserted against Gerber from those against Nurture, Inc., and transferring the claims asserted against Gerber to this District pursuant to the first-to-file rule; and

(2) On June 23, 2021, the United States District Court for the Northern District of New York, in *Eldridge v. Gerber Products Company, et al.*, No. 1:21-CV-283 (TJM/CFH) (N.D.N.Y.), issued the Order attached hereto as Exhibit B, severing the claims asserted against Gerber from those against Beech-Nut Nutrition Company,

and transferring the claims asserted against Gerber to this District pursuant to 28 U.S.C. § 1404(a).

Dated June 23, 2021

Respectfully submitted,

KELLEY DRYE & WARREN LLP

By: /s/ Geoffrey W. Castello  
Geoffrey W. Castello

Geoffrey W. Castello  
Glenn T. Graham  
One Jefferson Road, 2<sup>nd</sup> Floor  
Parsippany, NJ 07054  
T: (973) 503-5900  
F: (973) 503-5950  
gcastello@kelleydrye.com  
ggraham@kelleydrye.com

Bryan A. Merryman  
(admitted *pro hac vice*)  
Catherine S. Simonsen  
(admitted *pro hac vice*)  
WHITE & CASE LLP  
555 Flower Street, Suite 2700  
Los Angeles, CA 90071-2433  
T: (213) 620-7700  
F: (213) 452-2329  
bmerryman@whitecase.com  
catherine.simonsen@whitecase.com

Attorneys for Defendant  
*Gerber Products Company*